



PTO/SB/08B (08-03)

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**U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE**

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~~Substitute for form 1449B/PTO~~

## **INFORMATION DISCLOSURE STATEMENT BY APPLICANT**

(use as many sheets as necessary)

Sheet 2 of 2

<i><b>Complete If Known</b></i>	
<b>Application Number</b>	10/765,498
<b>Filing Date</b>	01/26/2004
<b>First Named Inventor</b>	Mark R. Vandlik
<b>Art Unit</b>	3762
<b>Examiner Name</b>	P. Bianco
<b>Attorney Docket Number</b>	0360-0166.04

**OTHER PRIOR ART -- NON PATENT LITERATURE DOCUMENTS**

Examiner Initials*	Cite No. 1	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T <sup>2</sup>
<i>GM</i>		European Patent Office Supplementary Partial European Search Report dated June 11, 2004	

Examiner  
Signature

**EXAMINER:** Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not

**1** Applicant's unique citation designation number (optional). **2** Applicant is to place a check mark here if English language Translation is attached. This collection of information is required by 37 CFR 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 120 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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LIST OF PRIOR ART CITED BY APPLICANT <small>(Use several sheets if necessary)</small>	ATTY DOCKET NO.	SERIAL NO.
	F-5489 CIP 2 CON	101765, 498
	APPLICANT Vandlik et al.	
FILING DATE	GROUP	

#### U.S. PATENT DOCUMENTS

Examiner Initial	DOCUMENT NUMBER	Date	Name	Class	Subclass	Filing Date (If Appropriate)
JH	5,421,823	06/06/95	Kamen et al.			
	5,431,626	07/11/95	Bryant et al			
	5,437,624	08/01/95	Langley			
	5,438,510	08/01/95	Bryant et al			
	5,474,683	12/12/95	Bryant et al			
	5,628,908	5/13/97	Kamen et al			
	5,634,896	06/03/97	Bryant et al			
	5,651,766	07/29/97	Kingsley et al			
	5,676,644	10/14/97	Toavs et al			
	5,746,719	05/05/98	Farra et al			
	5,755,683	05/26/98	Houle et al			

#### FOREIGN PATENT DOCUMENTS

	DOCUMENT NUMBER	DATE	COUNTRY	Class	Subclass	Translation Ver No
JH	W0 97/02059		PCT			
JH	EP 0771569		EP			
JH	WO 96/40319		PCT			

#### OTHER PRIOR ART (Including Author, Title, Date, Pertinent Pages, Etc.)


EXAMINER <i>Keswani</i>	DATE CONSIDERED 11 Oct 06
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FORM PTO-1449 (REV. 2-32)	U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE	Docket No: F-5489 CIP 2 CON	Appln. No. 10/765,498
INFORMATION DISCLOSURE STATEMENT BY APPLICANT		Applicant: Vandlik et al.	
(Use several sheets if necessary) Sheet 1 of 1		Filing Date January 26, 2004	Group Art 3762

U.S. PATENT DOCUMENTS						
Examiner Initials	Doc. No.	U.S. Patent Document		Name of Patentee or Applicant	Date of Publication	Filing Date If Appropriate
		Application or Patent Number	Kind Code			
JK	AA	4,605,503	A	Bilstad et al.	Aug. 12, 1986	
JK	AB	5,588,816	A	Abbott et al.	Dec. 31, 1996	
JK	AC	5,649,903	A	Deniega et al.	July 22, 1997	
JK	AD	5,762,791	A	Deniega et al.	June 9, 1998	

Examiner <i>[Signature]</i>	Date Considered <i>11/06/06</i>
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- A concise statement of relevance is being submitted in lieu of a translation. 37 CFR 1.98(a)(3).
  - + An English-language equivalent/patent, or an English-language abstract, or an English-language version of the search report or action by a foreign patent office in a counterpart foreign application indicating the degree of relevance found by the foreign office is being submitted in lieu of a concise explanation of relevance under 37 CFR 1.98(a)(3).

LIST OF PRIOR ART CITED BY APPLICANT <i>Use several sheets if necessary</i>	ATTY DOCKET NO. 1006.F-5489 CIP 2 CON	SERIAL NO. 10/765,498
	APPLICANT Vandlik et al.	
DEC 12 2005 Customer No. 26308	FILING DATE 16 January 2004	GROUP 3726

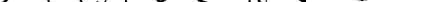
U.S. PATENT DOCUMENTS

## FOREIGN PATENT DOCUMENTS

	DOCUMENT NUMBER	DATE	COUNTRY	Class	Subclass	Translation Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>
SA	EP 0 526 678	09/1996	EP (with English translation)			
SA	EP 0 516 846	03/1990	EP			

**OTHER PRIOR ART (*Including Author, Title, Date, Pertinent Pages, Etc.*)**

A graph on a grid showing two curves. One curve starts at the top left, dips slightly, and then slopes downward to the right. The other curve starts at the bottom left, slopes upward to the right, and then levels off towards the top right. They intersect at one point on the grid.

EXAMINER  DATE CONSIDERED 11 Oct 06

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LIST OF PRIOR ART CITED BY APPLICANT <i>(Use several sheets if necessary)</i>	ATTY DOCKET NO. 1006.F-5489 CIP 2 CON	SERIAL NO. 10/765,498
	APPLICANT Vandlik et al.	
Customer No 026308	FILING DATE 26 January 2004	GROUP 3761

## **U.S. PATENT DOCUMENTS**

## **FOREIGN PATENT DOCUMENTS**

		DOCUMENT NUMBER	DATE	COUNTRY	Class	Sub-Class	Translation Yes No

**OTHER PRIOR ART (Including Author, Title, Date, Pertinent Pages, Etc.)**

**EXAMINER**

**DATE CONSIDERED**

11 October

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**Substitute for form 1449A/PTO**

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Sheet 1 of 2

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Art Unit	3762
Examiner Name	P. Bianco
Attorney Docket Number	0360-0166.04

## **U.S. PATENT DOCUMENTS**

## **FOREIGN PATENT DOCUMENTS**

Examiner Initials*	Cite No. <sup>1</sup>	Foreign Patent Document			Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	T <sup>6</sup>
		Office <sup>3</sup>	Number <sup>4</sup>	Kind <sup>5</sup> (if known)				
		WO 88/02641		A	04-21-1988	Baxter Travenol & Am. Red Cross		

**Examiner Signature**  **Date Considered**   
\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. <sup>1</sup> Applicant's unique citation designation number (optional). <sup>2</sup> See Kinds Codes of USPTO Patent Documents at [www.uspto.gov](http://www.uspto.gov) or MPEP 901.04. <sup>3</sup> Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). <sup>4</sup> For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. <sup>5</sup> Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. <sup>6</sup> Applicant is to place a check mark here if English language translation is attached.

This collection of information is required by 37 CFR 1.97 and 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

LIST OF PRIOR ART CITED BY APPLICANT <i>(Use several sheets if necessary)</i>	ATTY DOCKET NO. F-5489 CIP 2 CON	SERIAL NO. 1017615, 498
	APPLICANT Vandlik et al.	
	FILING DATE	GROUP

#### U.S. PATENT DOCUMENTS

Examiner Initial	DOCUMENT NUMBER	DATE	Name	Class	Subclass	Filing Date (If Applicable)
	4,778,451	10/18/88	Kamen			
	4,479,760	10/30/84	Bilstad et al.			
	4,479,762	10/30/84	Bilstad et al.			
	4,808,161	02/28/89	Kamen			
	4,865,584	09/12/89	Epstein et al.			
	5,062,774	11/05/91	Kramer et al.			
	5,088,515	02/18/92	Kamen			
	5,108,367	04/28/92	Epstein et al.			
	5,178,182	01/12/93	Kamen			
	5,193,990	03/16/93	Kamen et al.			
	5,350,357	09/27/94	Kamen et al.			

#### FOREIGN PATENT DOCUMENTS

	DOCUMENT NUMBER	DATE	COUNTRY	Class	Subclass	Translates Y/N
	WO98/22165		PCT			
	WO 98/22163		PCT			
	WO 96/40328		PCT			
	WO 95/20985		PCT			
	WO 97/09074		PCT			

#### OTHER PRIOR ART (Including Author, Title, Date, Pertinent Pages, Etc.)

JA		Therakos Brochure Circa 1998

EXAMINER	JA	DATE CONSIDERED
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LIST OF PRIOR ART CITED BY APPLICANT <i>(Use several sheets if necessary)</i>	ATTY DOCKET NO.	SERIAL NO.
	F-5489 CIP 2 CON	101705 498
	APPLICANT	Vandlik et al.
	FILING DATE	GROUP

### U.S. PATENT DOCUMENTS

Examiner Initial	DOCUMENT NUMBER	Date	Name	Class	Subclass	Filing Date (If Appropriate)
	5,769,811	06/23/98	Stacey et al.			
	5,938,634	08/17/99	Packard			
	5,951,509	09/14/99	Morris			
	6,106,498	08/22/00	Friedli et al			
	5,722,947	03/03/98	Jeppsson et al.			
	4,816,019	03/28/89	Kamen			
	4,077,882	3/7/78	Gangemi			
	4,858,883	8/22/89	Webster			
	6,071,423	6/6/00	Brown et al			
	4,119,120	10/10/78	Mehaffy et al			
	B1 5,344,568	9/7/99	Kitaevich et al			

### FOREIGN PATENT DOCUMENTS

	DOCUMENT NUMBER	DATE	COUNTRY	Class	Subclass	Trademarks Yes No

### OTHER PRIOR ART (*Including Author, Title, Date, Pertinent Pages, Etc.*)


EXAMINER	<i>Kesin M</i>	DATE CONSIDERED	<i>11 Oct 06</i>
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LIST OF PRIOR ART CITED BY APPLICANT <i>(Use several sheets if necessary)</i>	ATTY DOCKET NO.	SERIAL NO.
	F-5489 CIP 2 CON	101705,498
	APPLICANT	Vandlik et al.
	FILING DATE	GROUP

### U.S. PATENT DOCUMENTS

Examiner Initial	DOCUMENT NUMBER	Date	Name	Class	Subclass	Filing Date (If Appropriate)
JH	5,746,708	5/5/98	Giesler et al			
	4,828,543	5/9/89	Weiss et al.			
	4,486,189	12/4/84	Troutner et al.			
	4,479,761	10/30/84	Bilstad et al			
	5,921,951	7/13/99	Morris			
	5,593,290	1/14/97	Greich et al.			
	4,285,464	8/25/81	Latham Jr.			
	4,776,964	10/11/88	Schoendorfer et al.			
	5,762,791	6/9/98	Deniega et al			
	5,738,796	4/14/98	Bormann et al			
	5,462,416	10/31/95	Dennehey et al.			

### FOREIGN PATENT DOCUMENTS

	DOCUMENT NUMBER	DATE	COUNTRY	Class	Subclass	Translation Ver No

### OTHER PRIOR ART (Including Author, Title, Date, Pertinent Pages, Etc.)


EXAMINER	<i>Karen M.</i>	DATE CONSIDERED
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LIST OF PRIOR ART CITED BY APPLICANT <small>(Use several sheets if necessary)</small>	ATTY DOCKET NO.	SERIAL NO.
	F-5489 CIP 2 CON	101765,498
	APPLICANT	Vandlik et al.
	FILING DATE	GROUP

#### U.S. PATENT DOCUMENTS

Examiner Initial	DOCUMENT NUMBER	DATE	NAME	CLASS	Subclass	Filing Date (If Appropriate)
JH	5,989,438	11/23/99	Fumiymama			
JH	5,482,440	1/9/96	Dennehey et al			
	5,871,693	2/16/99	Lindsay			
	5,311,908	5/17/94	Barone et al.			
	5,273,517	12/28/93	Barone et al			
	4,965,846	10/23/90	Williamson IV			
	4,410,341	10/18/83	Edwards et al.			
	3,681,899	8/8/72	Grote			
JH	5,178,603	1/12/93	Prince			
JH	4,954,128	9/4/90	Ford			
JH	4,447,191	5/8/84	Bilstad et al			

#### FOREIGN PATENT DOCUMENTS

	DOCUMENT NUMBER	DATE	COUNTRY	Class	Subclass	Translation Yrs	No

#### OTHER PRIOR ART (Including Author, Title, Date, Pertinent Pages, Etc.)


EXAMINER	DATE CONSIDERED
<i>Lindsay</i>	11 Oct 06

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	F-5489 CIP 2 CON	101705, 498
	APPLICANT Vandlik et al.	
FILING DATE	GROUP	

### U.S. PATENT DOCUMENTS

Examiner Initials	DOCUMENT NUMBER	DATE	NAME	CLASS	Subclass	Filing Date (If Appropriate)
	4,481,827	11/13/84	Bilstad et al			
	4,526,515	7/2/85	DeVries			
	5,232,437	8/3/939	Lysaght et al			
	5,588,816	12/31/96	Abbott et al.			
	RE 36,871	9/12/00	Epstein et al			
	5,795,317	8/18/98	Brierton et al.			
	5,746,708	05/1998	Giesler et al.			
	5,738,796	04/1998	Bormann et al.			
	5,954,971	09/1999	Pages et al.			
	5,690,815	11/25/1997	Kransoff et al.			
	6,106,727	08/22/2000	Kransoff et al.			
	6,322,709	11/27/2001	Kransoff et al.			

### FOREIGN PATENT DOCUMENTS

	DOCUMENT NUMBER	DATE	COUNTRY	Class	Subclass	Translation Yes
	JP2003-52808	2003	Japan (with English Translation)			YES
	JP 2001-149444	2001	Japan (with English Translation)			YES
	* WO 02/083200	10/24/2002	PCT (with English Translation)			YES

### OTHER PRIOR ART (Including Author, Title, Date, Pertinent Pages, Etc.)


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